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Attorney for DONALD MILLS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-00664-002 YGR
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
v.)	REGARDING SENTENCE REDUCTION
)	UNDER U.S.S.G. § 1B1.1(b) AND AMENDMENT
DONALD MILLS,)	782
)	
)	
Defendant.)	
)	
)	

IT IS HEREBY STIPULATED AND AGREED, by and between the parties acting through their respective counsel, that:

- Defendant is making an unopposed motion for modification of his sentence pursuant to 18 U.S.C. § 3582(c)(2).
- Defendant's original guideline calculation was as follows:
Total offense level: 27
Criminal history category: III
Guideline Range: 87 to 108 months
Mandatory minimum: Five years

1 3. Defendant was sentenced to 97 months imprisonment on September 19, 2013.

2 4. According to Bureau of Prisons, his current projected release date is July 13, 2019.

3 5. Effective November 1, 2014, this Court may order a modification in defendant's sentence
4 pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10(b)(1), and Amendment 782, to the United States
5 Sentencing Guidelines Manual.
6

7 6. Defendant's revised guideline calculation is as follows:

8 Total Offense Level: 26

9 Criminal History Category: III

10 Guideline Range: 78 to 97 months

11 Mandatory Minimum: Five years

12 7. The parties have no reason to dispute the Sentence Reduction Investigation Report submitted to
13 the Court by the Probation Office.
14

15 8. Based upon the foregoing, the parties hereby stipulate that the Court may enter an order
16 **reducing Defendant's total term of custody to 87 months**, effective November 1, 2015.

17 9. The parties further stipulate that all other aspects of the original judgment order including the
18 length of term of supervised release, all conditions of supervision, fines, restitution, and special
19 assessment remain as previously imposed.
20

21 10. Defendant stipulates that he waives and does not request a hearing in this matter pursuant to Fed.
22 R. Crim. P. 43, 18 U.S.C. § 3582(c)(2), and *United States v. Booker*, 543 U.S. 220 (2005).

23 11. Defendant waives his right to appeal the district court's sentence.

24 12. Accordingly, the parties agree that an amended judgment in accordance with this stipulation may
25 be entered by the Court in pursuant to 18 U.S.C. § 3582(c) and USSG §1B1.10(b)(1), Amendment 782
26 of the Sentencing Guidelines Manual. A Sentencing Reduction Investigation Report and a proposed
27 amended judgment will be submitted to the Court.
28

1 IT IS SO STIPULATED.

2
3 DATED: 8/30/16


/s/ J. Douglas Wilson
BRIAN STRETCH
United States Attorney
J. DOUGLAS WILSON
Assistant United States Attorney
Northern District of California

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8 DATED: 8/30/16

/s/ Suzanne M. Morris
SUZANNE M. MORRIS
Counsel for Donald Mills

9
10 IT IS SO ORDERED.

11 DATED: September 27, 2016

12
13 
YVONNE GONZALEZ ROGERS
United States District Judge